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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/151,321	09/11/98	YOSHIDA	E 05058/75601

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SIDLEY AUSTIN BROWN & WOOD  
717 NORTH HARWOOD  
SUITE 3400  
DALLAS TX 75201

EXAMINER

TRAN, D

ART UNIT	PAPER NUMBER
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2624

DATE MAILED:

*16*  
11/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

**Office Action Summary**

Application No.

09/151,321

Applicant(s)

YOSHIDA, EIICHI

Examiner

Douglas Q. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16, 18-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16, 18-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Continued Prosecution Application***

1. The request filed on 10/17/01 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/151,321 is acceptable and a CPA has been established. An action on the CPA follows.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Maniwa et al. (US Patent No. 5,768,483) and Hower, Jr. et al. (US Patent No. 5,467,434).

As to claim 1, Maniwa teaches:

a controller (104 in fig 1 or 1004 in fig. 10) for selecting one of the plurality of image forming apparatuses connected with the network (102 in fig. 1, the server selects the printer based on a connection ID from the print job in col. 3, lines 10-15), wherein when the input job (i.e., print job or scanning job) has a specific mode (i.e., print mode or scanning profile including scanning conditions such as a document size... discussed in col. 3, lines 42-44), and said controller registers the input job (i.e., scan profiles are transferred to scanner/printer

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controller 107) in the selected image forming apparatus (in fig. 8, profiles 1-n are exchange between a server 104 and copier 102, col. 21, lines 21-41).

However, Maniwa does not teach MFS.NLM of the server selects an image forming apparatuses which has the specific mode of the input job and which stores a prior job having the specific mode of the input job.

Hower teaches a server processor of the server (50 of 25 in fig. 2) selects an image forming apparatuses which has the specific mode (i.e., properties of the printers) of the input job and which stores a prior job having the specific mode of the input job ( see Abstract and col. 4, lines 49-55).

It would have been obvious to have modified the controller of Maniwa for selects an image forming apparatuses which has the specific mode as taught by Hower. The suggestion for modifying the controller of Maniwa can be reasoned by one of ordinary skill in the art as set forth by Hower because Hower teaches the controller of the server automatically control and select one of the printers without the selection of the user based on the comparison between the properties of the printer with attributes of the print job.

As to claims 2 and 3, Maniwa teaches the specific mode job which inherently requires temporary stopping the selected image forming apparatus before possessing a manual paper supply mode ( col. 25, line 11).

As to claim 4, Maniva teaches specific mode job requiring changing paper positioned (col. 25, line 15-25) .

As to claim 5, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

As to claim 6, Maniva teaches controller selects an image forming apparatus not storing a specific mode job when the job is not a specific mode (col. 18, lines 60-65).

As to claim 7, Maniva teaches the controller selects an image forming apparatus not storing a job when an image forming apparatus storing a specific mode job cannot be referenced (col. 18, lines 60-65).

As to claim 8, Maniva teaches controller selects an image forming apparatus having the greatest remaining memory when an image forming apparatus storing no job cannot be referenced (col. 18, lines 60-65).

As to claim 9, Maniva teaches the controller receives information from an image forming apparatus regarding the size of paper attached to the image forming apparatus (in fig. 8, profiles from a server and a copier are the same) and selects an image forming apparatus storing a specific mode job and registers a job in the selected image forming apparatus (col. 17, lines 60-65) when no image forming apparatus has a paper suitable for the job (col. 18, lines 60-65).

As to claim 10, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

As to claim 11, Maniva teaches:

a memory for storing jobs (i.e., print profiles 1-n in fig. 8);

discriminating means (i.e., MFSA. NLM) for discriminating whether any of the jobs stored in the memory stores a specific mode job in order to determine a status of the output device (col. 17, lines 60-63 and col. 18, lines 32-42);

reporting means (i.e., the scanner/printer controller 107) for reporting the status of the output device (col. 4, lines 36-46 and col. 18, lines 10-15 and 32-42; note: the MFS.NLM from

the server receives or copies the print profiles from the output device, that means the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server).

However, Maniwa does not teach MFS.NLM of the server determine whether or not to route an input job to the selected printer.

Hower teaches a server processor of the server (50 of 25 in fig. 2) determine whether or not to route an input job to the selected printer ( see Abstract and col. 4, lines 49-55).

It would have been obvious to have modified the controller of Maniwa for determining whether or not to route an input job to the selected printer as taught by Hower. The suggestion for modifying the controller of Maniwa can be reasoned by one of ordinary skill in the art as set forth by Hower because Hower teaches the controller of the server automatically control and select one of the printers without the selection of the user based on the comparison between the properties of the printer with attributes of the print job.

As to claim 12, Maniva teaches the specific mode job is a job requiring temporary stop of an image forming ( col. 9, lines 58-60).

As to claim 13, Maniva teaches specific mode job is a job possessing a manual paper supply mode ( col. 25, line 11).

As to claim 14, Maniva teaches specific mode job is a job possessing a mode requiring exchange of a paper (col. 25, line 6) .

As to claim 15, Maniva teaches image forming means for forming images on recording medium in order of the sequence of jobs stored in the memory (fig. 5).

As to claim 16, Maniva teaches:

a plurality of plural image forming apparatuses (col. 15, lines 11-13) connected with the network and each having a memory (i.e., job queue in fig. 6) for storing jobs, discriminating means (i.e., MFSA. NLM) for discriminating whether the memory stores a specific mode job indicating a status of the printer (col. 17, lines 60-63 and col. 18, lines 38-42), and reporting means for reporting to the network the status of the output device (col. 4, lines 36-46 and col. 18, lines 10-15 and 32-42; note: the MFS.NLM from the server receives or copies the print profiles from the output device, that means the output device has means for reporting the status of print profile in the memory to the MFS.NLM of the server)..

a control device (104 in fig 1 or 1004 in fig. 10) for selecting an image forming apparatus connected (102 in fig. 1, the server receiving a connection ID and selecting the output device discussed in col. 3, lines 10-15) when with a network (101 in fig. 1) and registering a job (i.e., the job ID) in the selected image forming apparatus (col. 4, lines 26-28), wherein the control device selects a predetermined image forming apparatus (col. 15, lines 24-25) when the job is a specific mode ( i.e., profiles col. 3, lines 42-59 and fig. 8).

the motivation of this claim is applied as in the motivation of claim 11.

As to claims 18-20, Hower teaches the specific mode of the prior job stored in the image forming apparatus can be a manual paper feeding mode (because properties of the printers can include a manual paper feeding mode).

### ***Conclusion***

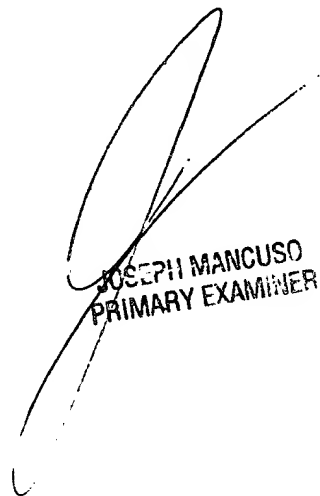
4. Applicant's amendment with respect to claims 1-16, 18-20 have been considered but are moot in view of the new ground(s) of rejection. This action is made **non-final**.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or e-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran  
Nov. 03, 2001



JOSEPH MANCUSO  
PRIMARY EXAMINER